

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

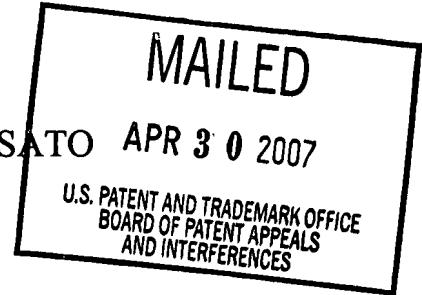
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*Ex parte* HIROSHI KODAMA and TATSUO SATO

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Application No. 09/768,512

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was electronically received at the Board of Patent Appeals and Interferences on January 23, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below:

On April 3, 2006, Appellants filed an Appeal Brief. In response to Appellants' Brief, the Examiner mailed an Examiner's Answer on October 4, 2006.

*The Examiner's Answer*

On page 3 of the Answer, section (8) under the heading of "Evidence Relied Upon," the Examiner lists the references relied upon in the rejection of claims on appeal. In particular, the Examiner relies upon Japanese Patent JP-8141413 to Shimada Yuji in the rejection of claims on appeal. However, a review of the Image File Wrapper (IFW) reveals that the Examiner does not

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provide a full-text English translation of Japanese Patent JP-8141413 to Shimada Yuji.

Accordingly, it is

ORDERED that the application is returned to the Examiner to provide a full-text English translation of the Japanese patent, to scan the translated reference into the IFW, to provide Appellants with a copy of said translation, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: Patrick J. Nolan  
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